



Table C
Recommendations from the 2003
Seattle Domestic Violence Assessment Reports

Recommendations	Status
<i>Probation: A Report on the Domestic Violence Unit, Municipal Court Probation</i>	
COURT	
1. Consider the possibility of developing a DV court, or at minimum, having a single judge preside over all the related matters for one offender. A specialized DV team, consisting of a judge, a prosecutor, a defender, and a probation counselor, could result in improved tracking of, and accountability for DV offenders	1. Implemented DV Court September 2004.
2. Develop a clear definition of compliance in DV cases, and respond quickly and consistently to those offenders who fail to comply. The court should not give high risk offenders multiple chances to comply, with no penalty for failure to do so.	2. Addressed in DV Strategic Plan (Sanctions, Batterer's Intervention Sections).
3. Consider a mandatory review for all DV offenders 30, 60, 90 and 180 days after sentence, to improve compliance rates.	3. Under consideration in further developing DV Court practices.
4. Conduct a detailed review of its sentencing practices in DV cases, in light of the high-risk nature of these cases.	4. Addressed in DV Strategic Plan (Sanctions Section)
5. Convene a short-term work-group to develop clear sanctions and approaches to non-compliant and other high-risk DV offenders. Some alternatives to consider include weekend incarceration, day reporting, home confinement with electronic home monitoring, only for those offenders who do not reside with the victim.	5. Addressed in DV Strategic Plan (Sanctions Section)
6. Consider responding to the impact of the offender's violence on children. This would require development of a policy on responding to DV offenders who are parents, or who have assaulted their spouse or partner in the presence of children.	6. Area for Future Exploration



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PROBATION	
7. Review the philosophy and purpose of the unit, and integrate decisions into revisions to its structure and resources. (as recommended in the 1997 Probation study).	7. Completed and available
8. Considering conducting PSIs on all DV offenders. This should include screening for “victim/defendants,” those offenders who are DV victims who have committed DV-related crimes.	8. Addressed in DV Strategic Plan (Sanctions Section); Internal training has occurred regarding victim defendants and Probation began developing a specialized case load of DV female offenders.
<p>9. Develop specific policies and procedures for monitoring DV offenders. Policies and procedures from a DV Probation Unit in another jurisdiction could be adopted and revised (with permission). Policies and procedures should include:</p> <ul style="list-style-type: none"> a) a requirement to contact the victim at minimum to provide information about probation and the probationer’s conditions of sentence, and to warn the victim when the offender fails to comply, b) a DV-specific intake form to give the probation counselors and the court more consistent information about the offender, c) procedures for identifying and responding to key DV-related risk factors, d) standards for recommended sanctions for failures to comply, such as use of Workcrew, Community Service, and weekend jail time, with some guidelines for the length of sanction, depending on the type and reason for failure to comply, e) procedures for consistent request rapid warrant service from SPD’s Fugitive Apprehension Team, 	<p>9.</p> <ul style="list-style-type: none"> a) Standardized letters to victim regarding information about probation and improvements are implemented and ongoing; b) Implemented a new intake form. c) Implemented procedures for identifying DV related risk factors; shared with SCADVU for work they are doing in this same area. d) Implemented administrative sanctions. e) Implemented procedures regarding bench warrants.



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f) procedures for enforcing the “No Weapons” condition of sentence.	f) Implemented procedures for the no weapons condition.
10. Explore with the City’s Office of Domestic and Sexual Violence Prevention Office (where indigent batterers’ treatment contracts are currently administered) the possibility of SMC offering certified DV treatment to indigent offenders in-house.	10. Implemented: Seattle Mental Health is on-site in SMC and provides DV treatment on sliding fee scale and free with medical coupons; Addressed in DV Strategic Plan (Batterers’ Intervention Section).
11. Find ways to use existing resources creatively in order to provide more intensive supervision to high risk offenders. For example, offenders who have been compliant for 3-4 months could be seen in a group check-in, thereby freeing up counselors time for intensive monitoring of those who need it.	11. SMC had requested GF for position that is currently grant funded through 8/05.
12. Work with police and City Attorney’s office to improve information flow, victim safety, and strengthen response to offenders who are non-compliant.	12. Work in progress; Addressed in DV Strategic Plan (Sanctions, Batterers’ Intervention, Firearms Sections)
13. Work with the City Attorney’s Office to develop an effective response to Probationers with both DV and Mental health issues	13. Completed process and improvements ongoing.
14. Establish and maintain regular DV-related training for DV staff on such topics as treatment approaches with batterers, working with victims, motivational interviewing, substance abuse and mental health issues, working and responding to immigrant offenders who are undocumented, and other related topics.	14. Completed process and improvements ongoing.
15. Develop DV-specific orientation and training materials for new staff.	15. Completed process and improvements ongoing.
16. Develop a systematic way of flagging those probationers who are DV victims, and ensuring that they have access to supportive community resources.	16. Completed process and improvements ongoing



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17. Implement a method for flagging key risk factors and responding effectively to high-risk cases through more frequent contact in person, or by phone, contact with the victimized partner, and rapid response for any violation of the court order.	17. Completed process and improvements ongoing; Intensive Supervision position funded.
18. Distinguish between intimate partner violence and other forms of family violence. Assign the non-intimate partner violence to staff who can develop expertise in monitoring these cases.	18. Established a specialized case load for child abuse cases and other forms of specialization are under consideration.
19. Develop and implement a system for accurately tracking the overall compliance of the Unit's caseload.	19. Work on identifying system requirements for new computer system. Code training for counselors ongoing for accuracy in data keeping.
20. Notify the victim advocate in the City Attorney's Office when a review or revocation hearing is scheduled.	20. Completed process and improvements ongoing.
21. Consider increasing the use of qualified volunteers to assist with case management.	21. Completed process and improvements ongoing.
22. Explore a potential partnership with the Seattle Police Department for monitoring offenders who have a poor record of compliance, and for immediate service of warrants.	22. Procedures for warrants in place and further improvements ongoing.
<i>Court: A Report on Domestic Violence Cases in Seattle Municipal Court, Recommendations for Strengthening Seattle Municipal Court Practices in DV Cases</i>	
23. Work with the City Attorney's Office and the public defender agencies to establish an integrated case processing model, in which a specialized team of DV judges, DV prosecutors and defenders specializing in DV issues hears and tracks all stages of an individual defendant's case.	23. DV Court and DV Case Flow Work Group



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24. The court should consider creating a system for ranking the danger/severity of charges and danger to the community presented by each defendant, and should expedite those cases that are the most dangerous. This ranking could occur at arraignment or at pretrial.	24. Area for future exploration.
25. The court should establish sentencing guidelines that give a clear message to offenders and victims that DV is viewed as a dangerous and serious crime. The court should consider whether reduced or dismissed charges are consistent with the goals of offender accountability. In addition, the court may want to consider a more consistent approach to sentencing that accounts for different levels of dangerousness of DV offenders.	25. DV Court established, Addressed in DV Strategic Plan (Sanctions Section).
26. The court should consider limiting the number of chances an offender has to comply with the conditions of sentence, and consider imposing alternative sanctions such as Workcrew, Community Service, or Day Reporting for those who fail to comply. Jail time served should be a sanction for those who consistently fail to comply.	26. Addressed in DV Strategic Plan (Sanctions Section)
27. All Court units involved in processing DV cases should have clearly written DV policies and procedures. These should be developed in consultation with SPD and the City Attorney's Office, to ensure that any DV-related policies from these agencies are acknowledged, and that key linkages to these agencies are incorporated into policies and procedures.	27. Firearm policies are in draft and in the law department for review. As part of the DV Court, other required policies are under consideration
28. The court should consider implementing a system to track processing and outcomes of DV cases. This should be done in collaboration with the Seattle Police Department, the City Attorney's Office and King County Department of Adult and Juvenile Detention, to ensure some consistency in data between agencies.	28. The Court is currently developing performance outcomes for the DV Court. Collaboration with SPD, City Attorney's office, etc will be included in the next phase of outcome development



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29. The Court, in partnership with the City Attorney's Office, should consider developing formal linkages with local community-based DV advocacy programs in order to provide consistent and comprehensive post-sentencing advocacy to victims of DV defendants who have cases with SMC.	29. Area for Future Exploration
In response to concerns identified by participants in the City-wide Safety Audit, there are some additional recommendations around business practices of the court:	
30. DV Unit Probation Counselors could conduct a brief screening prior to sentencing, to fully explain treatment to offenders, and to determine their eligibility for treatment.	30. Addressed in DV Strategic Plan (Sanctions Section)
31. The Court's DV Case Flow Group should continue to work with defender agencies to ensure the defense agency that represented the offender remains accessible throughout the jurisdiction of the case. Probation counselors should have the name and contact information for the defense attorney.	31. Area for Future Exploration
32. The Court should work with the City Attorney's Office to find a way to prosecute new criminal law violations.	32. Review of process in progress.
33. Jail screeners should check the protection order history of all defendants.	33. Implemented
34. The court should provide resources, training, and policies that require court staff to check these databases for all defendants.	34. Access to database is being obtained for court staff and training plan has been developed.
Report: Domestic Violence Safety and Accountability Audit: Prosecution Response to Misdemeanor Domestic Violence Cases	
Practice Area: Helping Victim with Safety Planning	
We recommend:	35. See Prosecution Plan Status Report Attached
35. multi-disciplinary training involving community-based advocates on danger and risk assessment, and safety planning	36. See Prosecution Plan Status Report Attached
36. development of written guidance on danger and risk assessment, and safety planning	37. See Prosecution Plan Status Report Attached
37. development of up-to-date referral information on community-based programs	



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<p>38. development of a networking or collaboration plan among SCADVU and community-based advocates.</p> <p>39. review of the current practice of several prosecutors being involved in the prosecution of a case and how this practice could, within the current climate of resource difficulties, be streamlined to facilitate a more consistent victim-advocate-prosecutor link.</p>	<p>38. See Prosecution Plan Status Report Attached</p> <p>39. DV Court implemented</p>
<i>Practice Area: Screening Cases</i>	
<p>We recommend:</p> <p>40. development of written guidance for screening cases that will aid both advocates and prosecutors in balancing safety and evidentiary concerns.</p> <p>41. multi-disciplinary training, on the written guidance developed as well as applications of Washington state law to the evaluation of evidence.</p> <p>42. institutionalizing an on-going educative role with law enforcement officers on evidence collection, report writing, and other prosecutorial needs that incorporates training and some sort of regular feedback on or evaluation of reports.</p>	<p>40. See Prosecution Plan Status Report Attached</p> <p>See Prosecution Plan Status Report Attached</p> <p>Addressed in DV Strategic Plan (Investigations Section)</p>
<i>Practice Area: Pretrial Release</i>	
<p>We recommend:</p> <p>43. the exploration, with courts and community-based advocates, of the legal availability of the modification of no-contact orders.</p>	<p>43. DV Court has bi-weekly calendar for modification of no-contact orders and will make improvements as needed.</p>
<i>Practice Area: Filing or Charging Offenses</i>	
<p>44. We recommend written guidance and training on the potential usages of the valuable historical information contained in advocate files for</p> <ul style="list-style-type: none"> ▪ risk assessment ▪ safety planning ▪ case prioritization ▪ basis for stalking charges ▪ heightened bail or stringent release conditions 	<p>44. See Prosecution Plan Status Report Attached</p>



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<ul style="list-style-type: none"> ▪ other acts evidence ▪ heightened sentence or stringent probation conditions 	
<i>Practice Area: Pre-Trial Procedures and Discovery</i>	
<p>We recommend:</p> <p>45. exploring ways to build in prosecutorial contact with victims.</p>	45. See Prosecution Plan Status Report Attached
<i>Practice Area: Using Trial Strategies</i>	
<p>We recommend:</p> <p>46. a consistent linkage or liaison function be formed between city and county attorney domestic violence units on strangulation and stalking cases regarding roles with the police and screening and charging cases.</p> <p>47. once this linkage or function is created, that multi-disciplinary training on the linkage occur, as well as on:</p> <ul style="list-style-type: none"> a. the reasons for recanting b. strategies for dealing with recanting in the courtroom c. recognizing strangulation and stalking, and strategies for charging and prosecuting d. updates on advocacy information, responses and skills in strangulation and stalking cases 	<p>46. See Prosecution Plan Status Report Attached</p> <p>47. See Prosecution Plan Status Report Attached</p>
<i>Practice Area: Sentencing Strategies</i>	
<p>We recommend:</p> <p>48. the utilization of work group as deemed appropriate (there are so many potential ones in Seattle, including this audit team) that brings prosecutors, probation, and the judiciary to a common philosophy of battering and a way of looking at sentencing that accounts for different levels of dangerousness</p>	48. Addressed in DV Strategic Plan (Prosecution Plan); SMC internal work group on sentencing recommendations is proposed (Sanctions Section)



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<i>Practice Area: Post-Sentencing Strategies</i>	
<p>We recommend:</p> <p>49. building on the current good relationship between SCADVU advocates, probation officers, and batter program providers, and on the recommendations made in the sentencing section, to bring prosecutors, probation, and the judiciary to a common philosophy of battering not only as a way of looking at sentencing that accounts for different levels of dangerousness but also as a consistent way of holding offenders accountable for probation violations and SOC failures</p>	<p>49. Addressed in part in the DV Strategic Plan (See Batterer Intervention Section).</p>
OVERALL RECOMMENDATIONS Re: Supervision, Management, and Advocacy	
<p>50. Develop and adopt a prosecution plan</p>	<p>50. Implemented</p>
<p>51. Evaluate the current role of the advocate</p>	<p>51. See Prosecution Plan Status Report Attached</p>
<i>Reports: Patrol Response to Domestic Violence in Seattle, Washington: Text Analysis of Seattle Police Department Incident Reports and Domestic Violence Cases in the Seattle Police Department</i>	
PATROL	
<p>52. Establish a system to monitor police reports at each precinct to improve quality of on-scene response, investigation, and report writing. Highlight the following areas:</p> <ul style="list-style-type: none"> ▪ History and context of the violence ▪ Risk assessment in domestic violence ▪ Evidence collection when suspect is “at large” ▪ Presence and welfare of children ▪ Determination of prohibition to possess firearms ▪ Determination if suspect has access to firearms ▪ Use of primary aggressor criteria 	<p>52. Addressed in DV Strategic Plan (Investigations Section)</p>



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53. Increase focus on “gone at arrival” suspects.	53. Addressed in DV Strategic Plan (Investigations Section)
54. Place new emphasis on responding to children at the scene.	54. Addressed in DV Strategic Plan (Special Populations Section)
55. The green pocket card that SPD officers distribute should be eliminated. Currently it instructs officers to tell victims that a two-week No Contact Order is automatically issued by the court, so victims believe that this is true, and it is not. Although this card is no longer reprinted for active use, officers with old copies still distribute it, thus imparting misinformation that can be dangerous for victims	55. This pocket guide is no longer in use. Issue resolved through DV best practices training for all patrol.
56. Officers should not copy victim information on the Super Form sheet that is put into the court file. This information, with the victim’s name and address, becomes part of the court record. The defendant and the defendant’s attorney can easily access this. This happens as a result of sloppy copying of the Super Form sheet, and when copied this way, the Police Objection to Release is obscured.	56. Issue resolved through DV Best Practices training.
POLICIES AND PROCEDURES	
57. Develop interdepartmental policies and procedures for handling domestic violence cases.	57. Implemented
58. Develop follow up investigation criteria for domestic violence cases.	58. Addressed in DV Strategic Plan (Investigations Section)
59. Develop policies and procedures for firearms surrender, seizure and forfeiture.	59. These are drafted and have been submitted internally for approval.
60. Develop training component on firearms surrender, seizure and forfeiture.	60. The planning for this training component has begun.
61. Provide domestic violence training for Field training officers.	61. Implemented



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62. Include domestic violence advocate in SPD DV training.	62. Implemented
VICTIM SUPPORT	
63. Provide direct support for victims of domestic violence by police officers.	63. Addressed in DV Strategic Plan (Investigations Section)
64. Increase utilization of the Volunteer Support Team.	64. Implemented. Also addressed in DV Strategic Plan (Advocacy Section)
DATA AND TECHNOLOGY	
65. Establish DV data collection needs in partnership with DVPC.	65. Addressed in DV Strategic Plan (in part, Firearms, Special Populations Sections)
66. Report progress on Computer Aided Dispatch project to DVPC in 2003.	66. To be scheduled
67. Warrants should be “pushed” directly into the Mobile Data Computers (MDCs) of patrol cars by appropriate beat.	67. Area for Future Exploration
68. Provide access to PROMIS via personal desktop computers for both domestic violence advocates and detectives. Provide caller ID on advocate phones, to assist with hang-up calls which may be victims trying to call them for assistance or in a crisis.	68. Implemented
INVESTIGATIONS	
69. Bolster misdemeanor follow-up investigations.	69. Addressed in DV Strategic Plan (Investigations Section)
WARRANTS	
70. Provide 2003 results of DV warrant service assessment to the DVPC	70. To be scheduled
<i>Report: Removing Firearms from Domestic Violence Perpetrators, and Recommendations from SMC three-months case review follow up</i>	
Recommendation	Status
71. Police reports accurately reflect the presence of firearms at the scene of the initial investigation.	71. Addressed in DV Strategic Plan (Firearms Section)
72. Police reports record the defendant’s Concealed Pistol License status.	72. Addressed in DV Strategic Plan (Firearms Section)
73. Police officers seize or encourage the surrender of firearms at the time of the	73. Addressed in DV Strategic Plan (Firearms



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initial investigation	Section)
74. PR screeners record the defendants' access to firearms in their reports	74. Implemented
75. City Attorney advocates provide a comprehensive summary of the defendant's DV history to the bench	75. Area for Future Exploration
76. Probation officers and police officers work jointly to ensure the "possess no weapons" clause of the various adjudication agreements are complied with.	76. Addressed in DV Strategic Plan (Firearms Section)
77. Judges ask the defendant about access to firearms at all proceedings	77. Reviewing places and points where inquiries need to be made.
78. When appropriate, the bench could order the surrender of firearms to the police dept within a specified amount of time and schedule subsequent review hearings to ensure compliance	78. Addressed in DV Strategic Plan (Firearms Section)
79. The bench could request assurances from defense counsel that a person holding a firearm for the defendant be eligible to possess a firearm.	79. Area for Future Exploration
Report: <i>Victim Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and the King County Region</i>	
80. <u>Leadership should view victim defendants as a significant concern.</u> Leaders and policy-makers need to lend their support to a collaborative effort to develop a coordinated response for victim defendant cases. This response would include comprehensive and ongoing training, consideration of arrest, charging and sentencing policies, and changes to existing data systems to improve information flow	80. Many community leaders, including SPD Chief, SMC judge, DVPC, have attended presentations on issue
81. <u>Law Enforcement</u> —Law enforcement agencies should be able to give officers the time, training, resources, and support they need to correctly identify the primary aggressor in more complex cases. Practices should include carefully evaluating domestic violence incidents for self-defense, prioritizing accurate	81. Training provided regarding strangulation, identifying primary aggressor, and self-



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identification of the primary aggressor, refraining from making mutual arrests, and using interpreters whenever one or both of the parties do not speak English or have limited English skills. Resources would include: access to all relevant criminal history databases; the related history of the parties before making the arrest decision; consideration of arrest history of the parties in the larger context of the violence in the relationship; time and resources to use interpreters when necessary; supervisory review of domestic violence cases with feedback and consultation; assignment of follow-up detective in cases where there are questions or concerns about which party is the primary aggressor.	defense.
82. <u>Defense Attorneys</u> —The defense bar should train staff, including investigators and social workers, where applicable, in the dynamics of domestic violence, and support them in acquiring tools for defending domestic violence survivors charged with domestic violence-related and other crimes.	82. Defense attorneys training held 9/10/04 (45 attendees); Director of the Office of Public Defense committed to ongoing work on the issue and scheduled to speak at KCCADV membership meeting 11/19/04; Annotated list of local agencies distributed to 45 defense attorneys
83. <u>Prosecutors</u> — Prosecutors should make domestic violence training mandatory for all staff, when feasible. At minimum staff would be required to screen for domestic violence survivors among domestic violence defendants.	83. Gael Straeck training in December '02; “Some Issues to Consider in Sentencing” paper written and distributed to KCPO and SCADVU
84. <u>Batterer Intervention Programs</u> should: <ul style="list-style-type: none"> ▪ Provide training for their staff in victim-defendant issues. ▪ Carefully evaluate court-referred clients for indications that they are survivors of domestic violence. ▪ If there are indications that an individual is a survivor of domestic violence, programs should incorporate into the assessment in-depth questions that help determine which party in the relationship is engaging in a pattern of power and control, and which party is a victim of that pattern. 	84. Two batterer intervention programs sent staff to 4-day training series on survivors using violence; Regional focus group cited more batterer intervention programs that do assessments and refer to victim services if batterers’ intervention not appropriate



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<ul style="list-style-type: none"> For those court-mandated clients who are domestic violence survivors and not batterers, staff should clearly document to the court (with the survivor's permission) that individual is not a candidate for batterer intervention, as she or he is a domestic violence survivor. 	
<p>85. <u>Community-Based Advocacy Programs</u> should:</p> <ul style="list-style-type: none"> Acknowledge that many domestic violence survivors use violence. Advocates can provide information that could help prevent arrest of survivors by engaging in an open conversation about survivors' use of violence, its impacts, and alternatives. Ensure that advocates have a clear understanding of the scope and limitations of state confidentiality statutes, so that information disclosed by survivors about their own use of violence cannot be used against them in a criminal or civil case. Provide information to survivors about the criminal justice system. Inform survivors about the domestic violence laws, the potential consequences of arrest, and what they can do if they are arrested. Increase opportunities for early access to victim-defendants through relationships with local law enforcement and the jail. Collaborate with defense attorneys on the defense of domestic violence survivors. When working with victim-defendants, investigate whether meeting bail is a constraint, particularly for those who are charged with felonies. If so, consider a revolving bail fund for victim-defendants. Understand that there may be potential negative consequences to survivor's case before sharing specific information about a victim-defendant with staff in the prosecutor's office. If the survivor has an open criminal case, consult with a defense attorney about any other legal actions, such as obtaining a civil protection order. 	<p>85. Advocate trainings held; Advocate group committed to monthly meetings; Advocate group working on revised outreach materials to include survivors use of violence; "Working with Survivors Charged with DV-Related Crimes" paper written and distributed to advocates; Staff at New Beginnings and EDVP describe better connections with defense attorneys; Office of Public Defense to speak at 11/19 KCCADV membership meeting to discuss how to work with defense attorneys; Director of Office of Public Defense and KCCADV Director scheduled to meet in December '04 to discuss next steps in relationship building</p>